

2019 Current Fiscal Year Report: National Infrastructure Advisory Council

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1. Department or Agency

Department of Homeland Security

2. Fiscal Year

2019

3. Committee or Subcommittee

National Infrastructure Advisory Council

3b. GSA Committee No.

15121

4. Is this New During Fiscal Year?

No

5. Current Charter

12/11/2017

6. Expected Renewal Date

12/11/2019

7. Expected Term Date

8a. Was Terminated During Fiscal Year?

No

8b. Specific Termination Authority

No

8c. Actual Term Date

9. Agency Recommendation for Next Fiscal Year

Continue

10a. Legislation Req to Terminate?

No

10b. Legislation Pending?

Not Applicable

11. Establishment Authority

Presidential

12. Specific Establishment Authority

Sec. 9(b), EO 13231, as amended by EO 13286, 13385, and 13652

13. Effective Date

10/16/2001

14. Committee Type

Continuing

14c. Presidential?

Yes

15. Description of Committee

National Policy Issue Advisory Board

16a. Total Number of Reports

No Reports for this Fiscal Year

17a. Open Meetings and Dates

No Meetings

0 17b. Closed

0 17c. Partially Closed

0 Other Activities

0 17d. Total

Current FY Next FY

18a(1). Personnel Pmts to Non-Federal Members

\$0.00 \$0.00

18a(2). Personnel Pmts to Federal Members

\$0.00 \$0.00

18a(3). Personnel Pmts to Federal Staff

\$0.00 \$0.00

18a(4). Personnel Pmts to Non-Member Consultants

\$0.00 \$0.00

18b(1). Travel and Per Diem to Non-Federal Members

\$0.00 \$0.00

18b(2). Travel and Per Diem to Federal Members

\$0.00 \$0.00

18b(3). Travel and Per Diem to Federal Staff

\$0.00 \$0.00

18b(4). Travel and Per Diem to Non-member Consultants

\$0.00 \$0.00

18c. Other(rents,user charges, graphics, printing, mail, etc.)

\$0.00 \$0.00

18d. Total

\$0.00 \$0.00

20a. How does the Committee accomplish its purpose?

The NIAC studies issues requested by the Federal government on related to critical infrastructure security and resilience as defined under Presidential Policy Directive 21, including cyber security related issues under Executive Order 13636; and on coordination and risk management efforts of public-private sector to advance the security and resilience of the Nation's critical infrastructure, by collecting information and developing recommendations on national policy, strategy and programs.

20b. How does the Committee balance its membership?

Members shall be selected from the private sector, including industry and academia, as well as state, local and tribal government, as established in the committee's establishing Executive Order and in its charter. The Members shall have expertise relevant to the mission and purpose of the NIAC and shall be selected from industry Chief Executive Officers (and equivalent ranked leaders in academia, state, local, and tribal government) with leadership expertise and responsibility for the oversight of the security and resilience of institutions within critical sectors of the economy as defined in Presidential Policy Directive 21.

20c. How frequent and relevant are the Committee Meetings?

The Council meets quarterly (i.e., approximately 4 times each fiscal year). At those meetings, the Council: (1) receives guidance from Federal officials about issues of importance on which the government would like the Council's advice; (2) deliberates and/or decides on recommendations concerning such issues to forward to the President; and/or (3) provides guidance to Council working groups that are developing factual findings regarding such issues.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

The NIAC provides a forum for senior executive level industry and other equivalent representatives of academia, state, local and tribal government to advise on issues relating to critical infrastructure security and resilience to officials at the highest levels of the Federal government. The vast majority of the Nation's critical infrastructure is owned and operated by private sector, state, local, tribal and territorial government. The NIAC provides the Federal government with subject matter expertise and perspective on the topics defined in the Council's charter that otherwise would be unavailable to the Federal government at the senior executive level. The cross sector senior executive perspective of NIAC cannot be performed by the Department of Homeland Security, by any other federal

agency, or by any existing advisory committee.

20e. Why is it necessary to close and/or partially closed committee meetings?

N/A

21. Remarks

NIAC Studies address problems like how to Improve intelligence information sharing across government and industry; Identify and reduce complex cyber risks, particularly for cyber-physical systems that operate critical processes; Better prepare and respond to disruptions (like Superstorm Sandy) that can ripple across multiple infrastructure systems and paralyze services to entire regions; Facilitate cooperative decision-making among senior executives and federal leaders during imminent threats and disaster response; and Address the skills gaps and loss of institutional knowledge in key workforces.

Designated Federal Officer

Ginger K. Norris Designated Federal Officer for the National Infrastructure Advisory Council

| Committee Members | Start | End | Occupation | Member Designation |
|-------------------|------------|------------|------------------------------------|--|
| Baich, Joseph | 09/07/2018 | | Chief Information Security Officer | Special Government Employee (SGE) Member |
| Boston, William | 01/11/2017 | 01/10/2022 | Energy Sector and Financial Sector | Special Government Employee (SGE) Member |
| Edmonds, Albert | 11/01/2002 | 10/31/2018 | Information Technology Sector | Special Government Employee (SGE) Member |
| Kerr, Rhoda | 12/29/2016 | 12/28/2018 | Emergency Services Sector | Special Government Employee (SGE) Member |
| Murren, James | 12/19/2013 | 12/18/2018 | Commerical Facilities Sector | Special Government Employee (SGE) Member |
| Newman, Carl | 12/29/2016 | 12/27/2018 | Transporation Sector | Special Government Employee (SGE) Member |

Number of Committee Members Listed: 6

Narrative Description

The NIAC is the only council of cross-sector executives that examines high-impact risks that could shut down America's critical infrastructure, 85 percent of which is owned by the private sector. At the President's direction, NIAC members study physical and cyber risks and recommend solutions that reduce risks and improve security and resilience. Members draw upon their deep experience, engage national experts, and conduct extensive research to discern the key insights that lead to practical federal solutions to complex problems. The NIAC provides the President through the Secretary of Homeland Security with advice on the security and resilience of the critical infrastructure sectors and their information systems, from the executive level perspective of those who own and operate the Nation's critical infrastructure. Because the majority of the Nation's critical infrastructure is owned by private sector, state, and local government, the critical infrastructure security and resilience mission (CISR) is a shared mission with the Federal government. The CISR mission, which includes cyber security, is a core element of DHS mission to lead the unified national effort to secure America: We will prevent and deter

terrorist attacks and protect against and respond to threats and hazards to the nation. The Council's advice supports the Quadrennial Homeland Security Review (QHSR) Goal 1.3: Reduce Risk to the Nation's Critical Infrastructure, Key Leadership, and Events: Enhance security for the Nation's critical infrastructure from terrorism and criminal activity, which is the basis for key goals in DHS' mission and its strategic plan. The Nation's critical infrastructure is a foundation for the economy, public safety and national security. Recommendations are close to finalization.

What are the most significant program outcomes associated with this committee?

Checked if Applies

| | |
|---|-------------------------------------|
| Improvements to health or safety | <input checked="" type="checkbox"/> |
| Trust in government | <input checked="" type="checkbox"/> |
| Major policy changes | <input checked="" type="checkbox"/> |
| Advance in scientific research | <input checked="" type="checkbox"/> |
| Effective grant making | <input type="checkbox"/> |
| Improved service delivery | <input checked="" type="checkbox"/> |
| Increased customer satisfaction | <input checked="" type="checkbox"/> |
| Implementation of laws or regulatory requirements | <input checked="" type="checkbox"/> |
| Other | <input checked="" type="checkbox"/> |

Outcome Comments

The major outcome that the Council supports is to reduce the risk to the Nation's critical infrastructure through advice on enhancing security and resilience of the Nation's critical infrastructures and their information systems, which in turn advances national and economic security, and public safety. Because this homeland security mission is a joint mission between all levels of government and the owners and operators of the Nation's critical infrastructure, neither can perform the mission alone. They must work together in a true partnership, which requires the thoughtful and experiential insights provided by the Council's members whose direct experience and knowledge of critical infrastructure are brought to bear in the Council's recommendations to the President on national policy and strategy and on effective public-private collaboration and coordination.

What are the cost savings associated with this committee?

Checked if Applies

| | |
|-------------------------|-------------------------------------|
| None | <input type="checkbox"/> |
| Unable to Determine | <input checked="" type="checkbox"/> |
| Under \$100,000 | <input type="checkbox"/> |
| \$100,000 - \$500,000 | <input type="checkbox"/> |
| \$500,001 - \$1,000,000 | <input type="checkbox"/> |

\$1,000,001 - \$5,000,000
\$5,000,001 - \$10,000,000
Over \$10,000,000
Cost Savings Other



Cost Savings Comments

N/A

What is the approximate Number of recommendations produced by this committee for the life of the committee?

333

Number of Recommendations Comments

Since it was established in 2001, the NIAC has conducted 30 in-depth studies resulting in almost 300 recommendations. As an advisory council, the NIAC does not have the authority to enforce implementation of its recommendations, but in some cases is able to identify actions that may have been taken in response to its recommendations. The NIAC was asked to highlight recommendations that have been implemented or driven federal action over the past 10 years. Between 2008 and 2017, the NIAC conducted 16 studies, resulting in more than 160 recommendations to the President. As the former DFO noted in a presentation during the NIAC's September 16, 2016 Quarterly Business Meeting (QBM), many of the NIAC recommendations that were accepted or under review prior to 2013 were incorporated into Presidential Policy Directive 21: Critical Infrastructure Security and Resilience (PPD-21) and Executive Order 13636: Improving Critical Infrastructure Cybersecurity (both signed in February 2013). Most recently the NIAC produced its Cyber Report. Below are specific references to two NIAC recommendations for background: NIAC Cyber Study, Rec. #8: PILOT AN OPERATIONAL TASK FORCE OF EXPERTS IN GOVERNMENT AND THE ELECTRICITY, FINANCE, AND COMMUNICATIONS INDUSTRIES—led by the executives who can direct priorities and marshal resources—to take decisive action on the nation's top cyber needs with the speed and agility required by escalating cyber threats. • Establish a three-tiered task force that includes: 1) senior executives in industry and government with the authority to set priorities and direct resources, 2) operational leaders who work the issues and implement strategic direction, and 3) dedicated full-time operational staff from both industry and government that dig in and solve complex issues. This operational component is crucial if the task force is to be successful. • Leverage the Strategic Infrastructure Coordinating Council (SICC) to identify executives in the Electricity, Financial Services, and Communications sectors willing to participate in the pilot task force. • Use the NIAC's recommendations and findings as a starter agenda to provide critical areas for focus. The task force should tackle persistent

barriers to cyber coordination and information sharing, such as legal and liability issues, data privacy concerns, fragmentation of authorities, and cost allocation for improving the security of private networks. • Use lessons learned and best practices from this pilot to expand the task force coordination approach to other sectors and assets. NIAC Executive Collaboration for the Nation's Strategic Infrastructure Study (2015), Rec. #1: originally recommended the formation of the Strategic Infrastructure Executive Council, which the Electricity Subsector Coordinating Council used as a basis for its work to form the Strategic Infrastructure Coordinating Council (SICC). Now, the NRMCC is moving forward with standing up/chartering the Tri-Sector Working Group.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

73%

% of Recommendations Fully Implemented Comments

The NIAC's mission has evolved over the years, leading the Council to transition to more recommendations focused on changes in strategy and policy, which can take a longer period of time to implement. For example, some national strategies are only updated every five years, which can delay implementation. It was also reported that a number of recommendations accepted or under review were incorporated into Presidential Policy Directive 21: Critical Infrastructure Security and Resilience (PPD-21) and Executive Order 13636: Improving Critical Infrastructure Cybersecurity (both signed in February 2013). More complex recommendations that involve multiple agencies can take longer to implement because of the need to coordinate with a number of entities.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

6%

% of Recommendations Partially Implemented Comments

Recommendations that are known to be accepted and partially implemented. Partial implementation may be due to changes in national policy or strategy, limited resources, or requirement for legislative change. Recommendations by this committee are also directed to Federal agencies and DHS, which may implicate required actions by private sector, Congress, and state and local government agencies. The Secretariat and DFO follows up periodically to collect information from all entities as best as possible when they are outside of DHS. In addition, as a presidential advisory committee, NIAC has made recommendations that require changes in national policy and strategy which may take years to assess feasibility and implement. Whenever, new reports and recommendations

are issued by the Council, this percentage will drop for a period of time, since the total of recommendations to produce the % is now larger.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

Because the NIAC is a Presidential committee, its recommendations are made to the President, and can affect any or every Federal agency. The DFO continues to work with the White House and DHS to effectively track implementation. Representatives from various agencies, including those within DHS, to which advice has been given, are invited to provide feedback in quarterly business meetings on implementation status of recommendations relevant to them.

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

| | |
|-----------------------------------|-------------------------------------|
| Reorganized Priorities | <input checked="" type="checkbox"/> |
| Reallocated resources | <input checked="" type="checkbox"/> |
| Issued new regulation | <input type="checkbox"/> |
| Proposed legislation | <input checked="" type="checkbox"/> |
| Approved grants or other payments | <input type="checkbox"/> |
| Other | <input checked="" type="checkbox"/> |

Action Comments

DHS and other agencies have implemented multiple NIAC Recommendations. The NIAC's Sector Partnership Model helped shape the Critical Infrastructure Partnership Advisory Council. DHS is using the NIAC's Risk Management recommendations to develop its own risk management approaches. HHS used the Council's Pandemic Report to shape its program planning and implementation for a pandemic flu. The NIAC's 2012 report and recommendations on Intelligence Information Sharing became a focus for action to incorporate private sector into intelligence community priorities, as reported in the Federal government's annual Information Sharing Environment Annual Report to Congress in 2013 and 2014 and in a Council quarterly business meeting by the Office of the Director of National Intelligence. Several state homeland security representatives have communicated that the Council's reports are studied in order to determine if recommendations might be useful to their state's critical infrastructure protection programs. NIAC reports and recommendations informed the development of EO 13636

and PPD-21. NIAC's reports are sources for multiple academic studies on critical infrastructure security since the perspective of CISR from a senior executive owner-operator level is very difficult to collect through other means.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

N/A

How is access provided to the information for the Committee's documentation?

Checked if Applies

| | |
|---------------------------|-------------------------------------|
| Contact DFO | <input checked="" type="checkbox"/> |
| Online Agency Web Site | <input checked="" type="checkbox"/> |
| Online Committee Web Site | <input checked="" type="checkbox"/> |
| Online GSA FACA Web Site | <input checked="" type="checkbox"/> |
| Publications | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

Access Comments

All reports are published on the NIAC page on the DHS public web site, www.dhs.gov/niac. This will be an ongoing outreach effort. As part of our recommendation implementation tracking plan, we will also increase outreach to other agencies, including active distribution of relevant reports and recommendations to interagency policy committees that are relevant to critical infrastructure security and resilience.